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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/763,301	02/20/2001	Wiebe De Haan	PHN 17,517	4848

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PHILIPS INTELLECTUAL PROPERTY & STANDARDS
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EXAMINER

VENT, JAMIE J

ART UNIT PAPER NUMBER

2613

DATE MAILED: 07/07/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/763,301

Applicant(s)

DE HAAN, WIEBE

Examiner

Jamie Vent

Art Unit

2613

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 20 February 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Okada et al (US 6,181,870) in view of Kikuchi et al (US 6,112,009).

[claims 1 & 6]

In regard to claims 1 and 6, Okada et al discloses a recording method and apparatus for recording an encoded bit stream, representing a plurality of video object comprising a sequence cells together constituting a part of an MPEG2 Program Stream, on a disc like record carrier, such as optical disc, comprising:

- Recording video objects comprising a sequence of contiguously recorded cells, each cell comprising a unique cell identification number within a video object (Figure 44a-f shows the recording of video objects with continuously recorded cells with unique identification numbers (cell #1, cell #2, etc) as shown in Figure 44c);
- Recording a playback sequence of cells that defines a playable program chain of cells, wherein said sequence comprises references to the cell identification numbers (Figure 85 shows two original playable program chain comprising of

references to the cell identification numbers as seen in Orig_PGC #1 which consisting of Cell #1, Cell #2, Cell #3, and Cell #4);

- Dividing at least one previously recorded cell into new cells and/or overwriting at least one previously recorded cell at least partly with a new cell (Figure 45c to 45d shows the dividing of one previously recorded cell (4f1) and overwrites the old part of the cell (indicated by dashed box) by the merging of the segment cell Af2 thereby becoming a new cell);
- Assigning the at least one new cell with a cell identification number (Figure 86a shows a original and user defined program chain with various divided and segmented cells. As seen Cell #1 is moved into the user defined program chain after editing processes and is further assigned to be cell#1A);
- Recording a new playback sequence of cells employing an incremental numbering of cell identification numbers (Figure 91 showing the recording of a new playback of cells with incremental numbering of 1-10, 1A-10A, 1B-10B, and 1C-10C);
however,

Okada et al fails to disclose a recording navigation data within said cells comprising cell identification numbers.

Kikuchi et al teaches cell identification number with navigation data through an apparatus and method for reproducing data from data that is recorded in a data area of a disk in structure consisting of program chains, programs, cells, and packs. This can be seen in Figure 6, which shows an example of the structure of the video object (VOBS) with the structure of each video object consisting of cell with identification numbers, video object units, and furthermore

comprising navigation data (NAV Pack) as further described in Column 11 Lines 18-27.

Therefore, it would be obvious to combine the recording method and apparatus for recording an encoded bit stream that represents a plurality of video object comprising a sequence cells, as disclosed by Okada et al, and further define video object set to comprise navigation data, as disclosed by Kikuchi et al, which would allow for the parameter specifying the presentation termination of the last video frame with in the navigation pack.

[claims 2,3, 7, & 8]

In regard to claims 2, 3, 7 and 8, Okada et al discloses a method and apparatus characterized by assigning all video objects the same object identification number (Figure 6a-6c shows the assigning of object identification number noting that all the same video objects are assigned within the same object identification number as further described Column 17 Lines 9-20).

[claims 4 & 9]

In regard to claims 4 and 9, Okada et al discloses a method and apparatus wherein the updates a cell elapse time and a cell identification number (Figure 71 shows the updating of cell elapse time by comparing the time map table of the VOBU information as well as cell identification numbers updating in PGC#3).

[claim 5 & 10]

In regard to Claims 5 and 10, Okada et al discloses a recording method and apparatus wherein a cell, video object, a playback sequence, and cell identification number, corresponds respectively to a Cell, a Video Object (VOB), a Program Chain (PGC), a cell ID number (Column 4 Lines 65-67 and Column 5 Lines 1-40); however, lacks to disclose that it is of the DVD Read Only Video Specification. The examiner takes official notice that DVD-R and DVD-RAM is well known in

the art and thereby seems obvious to utilize or gain from the work accomplished to apply advantages of the technologies together thereby applying the DVD-R specifications.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Wilson (US 6,748,159).

Contact Fax Information

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks
Washington, DC 20231

Or faxed to:

703.872.9306 (for formal communication intended for entry)
703.308.5359 (for informal or draft communications, please label "PROPOSED"
or "DRAFT")

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA., Sixth Floor (Receptionist).


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jamie J. Vent whose telephone number is (703) 305-0378.

If any attempts to reach the examiner by telephone are unsuccessful, the examiners supervisor, Christopher Kelley, can be reached at (703) 305-4856.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 305-4700.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Miss Jamie Vent


VINCENT BOCCIO
PRIMARY EXAMINER